

Part 1 Levin Proposal

Sharon Lin

to:

ross.brian

04/10/2009 09:43 AM

Cc:

lyons.john, blank.roberta

Hide Details

From: Sharon Lin/R9/USEPA/US

To: ross.brian@epa.gov,

Cc: lyons.john@epa.gov, blank.roberta@epa.gov

1 Attachment



0488\_001.pdf

Brian, i guess the 15.5 MB file did not get through our system. I am breaking this down to two parts. here is part 1. please confirm whether it has gone through. thanks.

sharon

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March 23, 2009

John Lyons  
Regional Counsel  
Office of Regional Counsel, ORC-3  
U.S. EPA, Region IX  
75 Hawthorne Street  
San Francisco, CA 94105

**Re: Levin Dredging Proposal**

Dear John:

As a follow up to the meeting between Levin and EPA held on January 16, 2009, Levin submits the following modifications to the removal action proposal discussed at the meeting. This modified proposal is submitted to address as many of the concerns raised by EPA as possible. As discussed at the meeting, Levin's economic viability is threatened by its inability to dredge Berth B. At the same time, the company appreciates the constraints that exist because Berth B is within the United Hekathorn Superfund site, which is currently the subject of an ongoing Focused Feasibility study. The following proposal attempts to work within such constraints and the Superfund process and:

1. Reduces the amount of material to be dredged to approximately 1,500 yards, which is the minimum amount needed to keep Berth B as a viable terminal berth for the short term.

2. Limits the dredging to the areas shown on the attached Plate 1. No dredging would take place within 240 feet of the area where the 1990 and 1991 "Hot Spot" removals took place. Plate 1 shows where the Hot Spot removal was located, and it should be noted that it was 200 feet to the north of the north end of Berth B. It should also be remembered that the entire southerly end of the Levin Terminal property in the area of Berth B has been paved since before the Heckathorn operations and little, if any, DDT contamination has ever been discovered in that area.

3. Levin proposes to use a Toyo Pump to undertake the dredging, which is a suction pump. The pumping would be directly into Geotubes placed on the adjacent terminal property in a containment area. Water disposal would be to the City of Richmond Waste Water Treatment Plant. Levin has held preliminarily discussions with the treatment plant representatives. Solids disposal would be to ECDC in Utah where solids were disposed on in the original channel

John Lyons  
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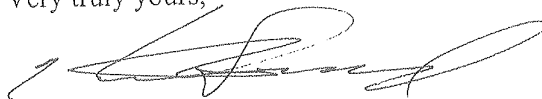
dredging. The Toyo Pump will minimize the disturbance of the sediments and should enable the dredging to be conducted without the use of a silt curtain. The use of both the Toyo Pump, Geotubes, and liquid disposal could serve as a demonstration project in connection with the eventual EPA remedy selection process. More information on the Toyo Pump, Geotubes and conceptual plan is included on Attachment 1. Because the proposed dredging will remove contaminated material from the channel and the dredging dewatering methodology may assist in developing a final remedy, Levin believes this proposal should qualify as a removal or similar interim action under CERCLA.

4. Plates 3 thru 6 provide cross-sectional information related to the slopes of the embankment and the depths of sedimentation that have occurred in the area to be dredged since 1996. While it appears that sloughing of embankment materials has occurred since the 1996 dredging, it is not expected that the proposed dredging will significantly exacerbate this condition.

5. Should EPA be receptive to the concepts outlined in this letter, Levin will present EPA with a detailed work plan for its consideration. In addition, Levin will contact the other major PRP's involved in the site to seek their comments and solicit their approval of the removal action and/or a commitment that they will not attempt to claim such removal action as a defense to any future enforcement action.

I look forward to hearing from you regarding this modified proposal at your earliest convenience.

Very truly yours,

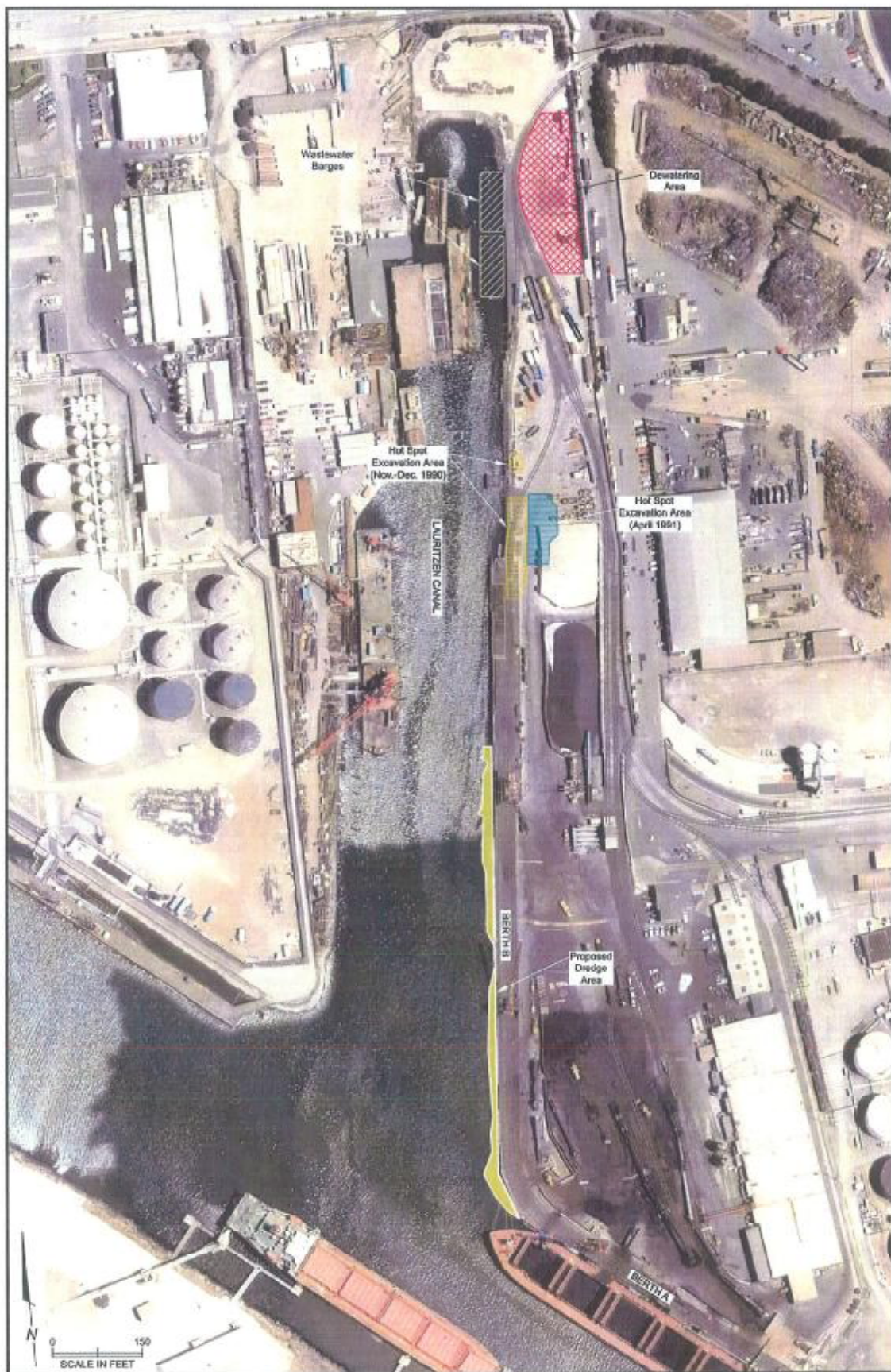


Keith Howard

KH/bh

Enclosures

cc: Gary Levin (w/enclosures)  
Sharon Lin (w/enclosures)  
Jim Dunn (w/enclosures)





**PES Environmental, Inc.**  
Engineering & Environmental Services

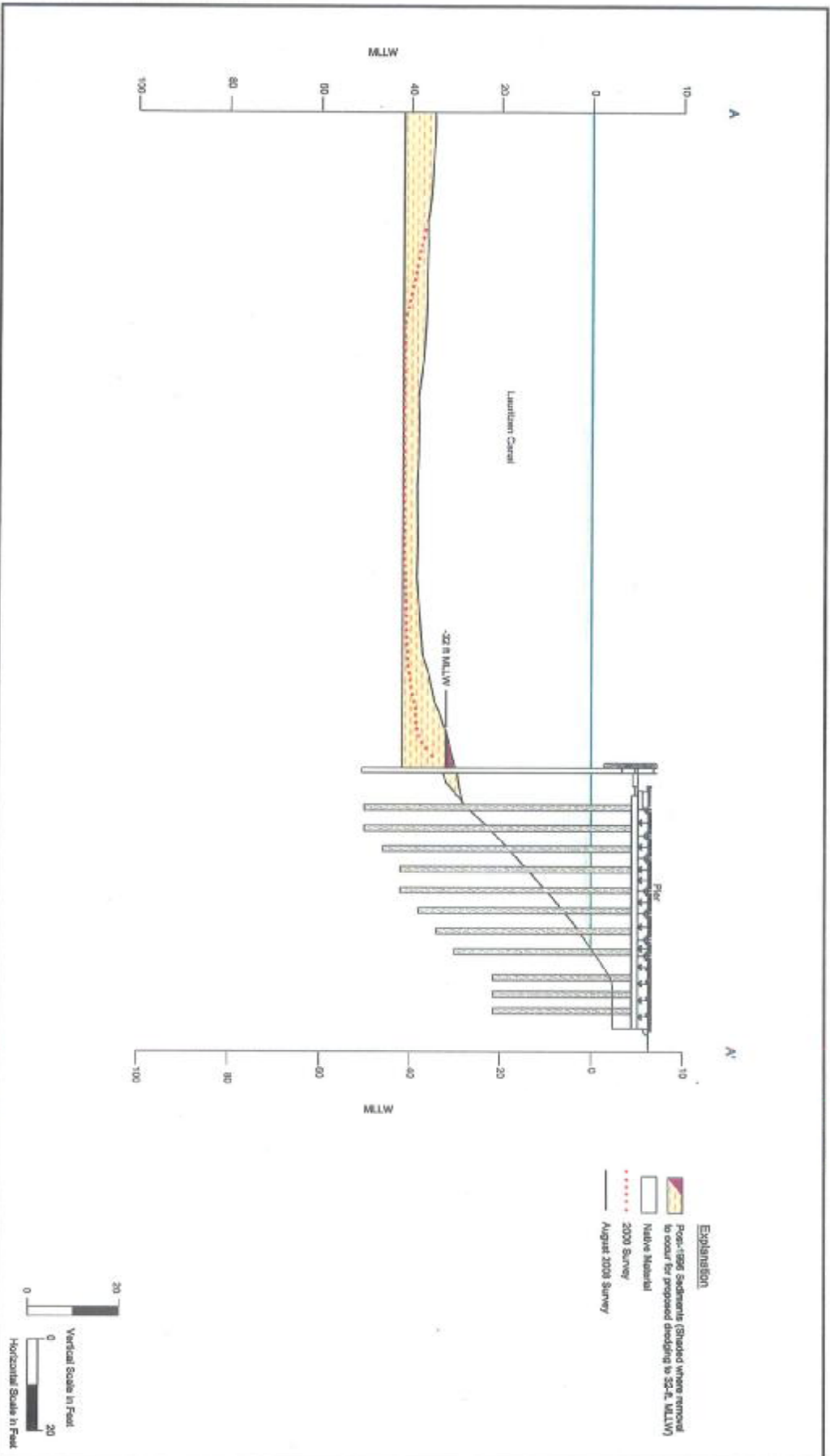
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**DRAFT**  
REVISED BY

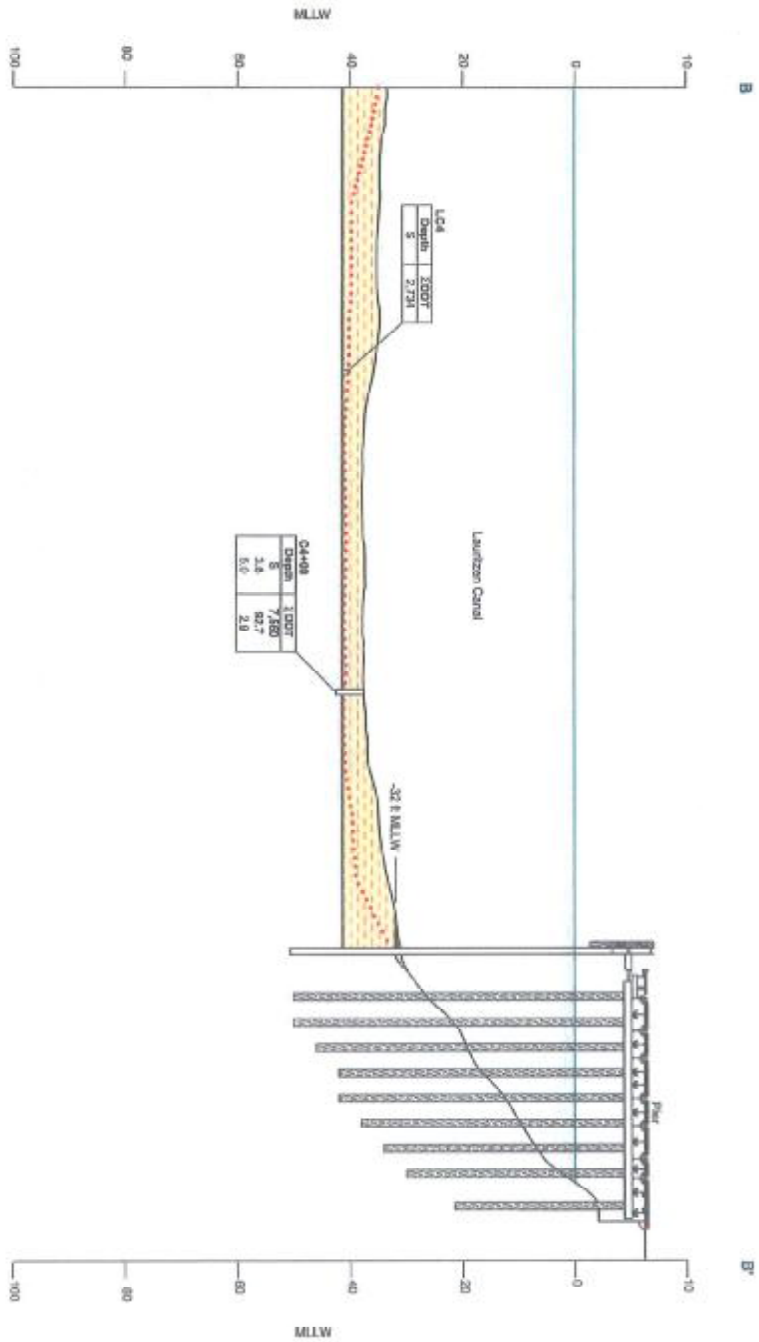
**Cross Section A-A'**  
Proposed 2008 Earth B Dredging  
Richmond, California

PLATE  
**3**

2/08  
DATE







**Explanation**

- Post-1996 Sediments (Shaded where removal to occur for proposed dredging to 32ft MLLW)
- Native Material
- 2000 Survey
- August 2004 Survey
- Sample Location

**Notes:** (1) Depth is feet below water/air/dredged interface at time of sampling. S denotes surface sample.  
(2) 2007 is the total concentration of DDT isomers.  
(3) Concentrations in microgramme/gram (µg/g).

